

MINUTES OF THE LAFAYETTE COMMON COUNCIL
September 8, 2008
REGULAR MEETING

The Common Council of the City of Lafayette, Indiana met in regular session on Monday September 8, 2008 at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Campbell called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were present:

Present: Heide, Klinker, Meyer, Cornstuble, Brown, Novak, Weast-Williamson, Downing and Campbell

The City Clerk stated that there was a quorum present.

City Clerk Cindy Murray and City Attorney Ed Chosnek were present.

Councilman Meyer moved to recess for public hearing Councilman Brown seconded on Ordinance 2008-22 (An Ordinance Fixing the Salaries of the Elected Officials of the City of Lafayette, Indiana for the Year 2009) President Campbell asked for public comment there was none.

The Clerk read Ordinance 2008-25 (An Ordinance Voluntarily Annexing Certain Lands into the City of Lafayette, Indiana, 2008 Voluntary Annexation) President Campbell asked for public comment there was none.

Councilman Meyer moved to reconvene the regular meeting, Councilman Brown seconded.

Councilman Brown moved to approve the minutes from the August 4, 2008 regular meeting. Councilwoman Novak seconded. The motion passed by unanimous voice vote.

The Clerk stated that there were no Claims, Petitions or Communications.

The Clerk stated the following reports are available in the City Clerk's Office:

Clerks Office Monthly-July 2008

Water Works Monthly-July 2008

Water Pollution Control Monthly-July 2008

Fleet Maintenance Department Monthly-June 2008

Police Department Monthly-July 2008

President Campbell read the following statement regarding Public Comment during the Council meetings:

We welcome public comment and encourage active participation at this meeting. However, in order to proceed efficiently, public comment will be limited to two areas of this meeting. First, there will be an opportunity for public comment on ordinances or resolutions currently before the Council. These comments should be limited to two (2) minutes in length and be germane and relevant to the Ordinance or Resolution. All participants will be required to maintain a high level of civility, respect, and courtesy for everyone present. Any participant, who after being advised, persists in a discourteous or hostile manner which may disrupt the meeting will be asked to leave.

At the end of this meeting, time will be reserved for public comment on any issue or concern you may have. Please remember to keep your comments concise and limited to two (2) minutes. Finally, the open comment section is not an opportunity for you to make inappropriate comments about, or challenge council members or city officials and any attempts to do so may result in your dismissal from this meeting. This is your opportunity to contribute to the community and assist the council in addressing issues that are important to the City of Lafayette.

Ordinances for Second Reading:

The Clerk read Ordinance 2008-20 amended (An Ordinance of the Common Council of the City of Lafayette, Indiana Authorizing the Mayor and/or Controller of the City of Lafayette, Indiana to make Temporary Loans to meet Current Operating Expenses of Various Funds of the City in Anticipation of and not in Excess of Current Taxes Levied in the Year 2007, and Collectable in the Year 2008, Authorizing the Issuance of Temporary Loan Tax Anticipation Time Warrants to Evidence such Loans and the Sale of Such Warrants and Appropriating and Pledging the Taxes to be Received in Such Funds to the Payment of Such Warrants including the interest Thereon) by title only on second and final reading. Councilman Heide moved for passage, Councilman Klinker seconded. Mike Jones, City Controller informed Council, the city would not be receiving money from the County until December, therefore we will likely need to borrow money to meet expenses, however that money will be repaid by December 31, 2008 and if a loan is not needed, this ordinance will expire at the end of December 31, 2008. Ordinance 2008-20 passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2008-21 (2009 Budget Ordinance an Ordinance Appropriating Money for the Purpose of Defraying the Expenses of Several Departments of the City Government of the City of Lafayette, Indiana for the Fiscal Year Beginning January 1, 2009 and ending December 31, 2009 including the Outstanding Claims and Obligations and Fixing a Time when the Same Shall Take Effect.) by title only on second and final reading. Councilman Meyer moved for passage, Councilman Brown seconded. Mike Jones, City Controller informed Council

the Department of Local Government Finance is allowing cities to delay passage of the 2009 budget until the first of December, Mr. Jones respectfully requested the council to delay passage of Ordinance 2008-21 so he may better calculate the final costs to the city in regards changes in insurance, tipping fees and other budgetary issues. Councilman Meyer moved to table Ordinance 2008-21 until time certain November 3, 2008, Councilwoman Novak seconded. The motion passed by unanimous voice vote.

The Clerk read Ordinance 2008-22 (An Ordinance Fixing the Salaries of the Elected Officials of the City of Lafayette, Indiana for the Year 2009) by title only on second and final reading. Councilman Brown moved for passage, Councilman Downing seconded. Mr. Jones spoke regarding the salary ordinance. Ordinance 2008-22 passed 8-0 on roll call vote on second and final reading.

The Clerk read Ordinance 2008-23 (An Ordinance Fixing the Salaries of the Sworn Protective Occupation and Law Enforcement (POLE) Members of the Police and Fire Departments of the City of Lafayette, Indiana for the Year 2009) by title only on second and final reading. Councilman Klinker moved for passage, Councilwoman Williamson seconded. Ordinance 2008-23 passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2008-24amended (An Ordinance Fixing the Salaries of the Appointed Officers and Employees of the City of Lafayette, Indiana, for the Year 2009, Excluding the Sworn Protective Occupation and Law Enforcement Members of the Police and Fire Departments) by title only on second and final reading. Councilman Meyer moved for passage, Councilman Cornstuble seconded. Ordinance 2008-24 amended passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2008-25 (An Ordinance Voluntarily Annexing Certain Lands into the City of Lafayette, Indiana, 2008 Voluntary Annexation) by title only on second and final reading. Councilman Cornstuble moved for passage, Councilman Brown seconded. Councilman Meyer moved to table Ordinance 2008-25 until time certain October 6, 2008, Councilman Klinker seconded. The motion passed by unanimous voice vote.

Ordinances for First Reading:

The Clerk read Ordinance 2008-26 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana, to Rezone Certain Real Estate from PDNR to PDNR-Sycamore Professional Village PD, Petitioner) by title only on first reading and final reading. Councilman Downing moved for passage, Councilman Cornstuble seconded. Councilman Cornstuble spoke regarding the Area Plan Commission recommendation. Ordinance 2008-26 passed 8-0 on a roll call vote on first and final reading.

The Clerk read Ordinance 2008-27 (An Ordinance to Amend the Lafayette Municipal Code Title 13 Entitled Buildings and Construction, by Adding Chapter 13.06 Entitled Electrical License Required.) by title only on first reading. Councilman Brown moved for passage, Councilwoman Williamson seconded.

Councilman Klinker moved to table Ordinance 2008-27 and refer it to the Ordinance Committee for further review. Mr. Campbell announced the City Clerks office will let the public know when

the meetings will be set. Councilman Brown seconded. The motion passed by unanimous voice vote.

Resolutions:

The Clerk read Resolution 2008-12 (A Declaratory Resolution Ratifying and Approving Designation of an Economic Revitalization Area for Tax Abatement-LiquidSpring, LLC) by title only on first and final reading. Councilman Heide moved for passage, Councilwoman Novak seconded. Dennis Carson, Redevelopment stated the Redevelopment Commission voted unanimously to pass this abatement. Jodi Hamilton, Lafayette and West Lafayette Development Corporation requested support for this abatement. Dean Bartolone, President of LiquidSpring LLC, spoke regarding the request and the planned improvements to the company. Mayor Roswarski spoke in support of the abatement. Resolution 2008-12 passed 8-0 on a roll call vote on first and final reading. Councilman Brown moved to set a public hearing on Resolution 2008-12 on Monday October 6, 2008 at 7:01 p.m. Councilman Downing seconded. The motion passed by unanimous voice vote.

The Clerk read Resolution 2008-13 (A Declaratory Resolution Ratifying and Approving Designation of an Economic Revitalization Area for Tax Abatement-Schili Family LLC, and Schili Distribution Services, Inc.) by title only on first and final reading. Councilman Meyer moved for passage, Councilman Brown seconded. Dennis Carson, Redevelopment stated the Redevelopment Commission voted unanimously to pass this abatement. Jodi Hamilton, Lafayette and West Lafayette Development Corporation requested support for this abatement. George Benda, Vice President of Schili Distribution Services Inc., gave council an overview of the company and the planned expansion this tax abatement which is needed to continue their working partnership with Caterpillar. Tim Bio, Operations Manager of Caterpillar spoke in support of the abatement. Mayor Roswarski spoke in support of the abatement. Councilman Meyer praised Caterpillar for their efforts to keep partnerships with local suppliers. Resolution 2008-13 passed 8-0 on a roll call vote on first and final reading. Councilman Klinker moved to set a public hearing on Resolution 2008-13 on Monday, October 6, 2008 at 7:02 p.m., Councilwoman Williamson seconded. The motion passed by unanimous voice vote.

The Clerk read Resolution 2008-14 (A Resolution Adopting a Fiscal Plan and Definite Policy Regarding the Voluntary Annexation of Certain Lands into the city of Lafayette, Indiana- 2008 Voluntary Annexation) by title only on first and final reading. Councilman Cornstuble, moved for passage, Councilman Downing seconded. Dennis Carson, Redevelopment Director, gave council highlights of the fiscal plan of the annexation. Mayor Roswarski spoke on the importance of the annexation to allow steady growth to the city. Councilman Klinker moved to amend Resolution 2008-14 by replacing original fiscal plan exhibit with new fiscal plan filed on September 2, 2008, Councilwoman Novak seconded. The motion passed by unanimous voice vote. Amended Resolution 2008-14 passed 8-0 on a roll call vote on first and final reading.

There were no Reports of Standing Committees
There were no Reports of Special Committees.

Reports by Mayor: Mayor Roswarski deferred his time to Brad Talley, Superintendent Water Pollution Control for an update on the Tunnel Project.

Mr. Talley summarized the tunnel project which is a ten foot diameter, two thousand foot underground tunnel designed to help contain combined sewer overflow during heavy rain event or snow this will help decrease the runoff into the Wabash River. Mr. Talley passed out handouts of the process of the digging machine that was placed thirty five feet underground and explained how it moves forward to create the tunnel which leads to the Pearl River Lift Station. Mr. Talley noted to date they are forty feet into the tunnel.

Miscellaneous or New Business:

Reports of Councilman: Councilman Meyer noted he had been informed through the Tippecanoe County Auditor's office that a local company that was granted a tax abatement is delinquent on their taxes. Councilman Meyer suggested a clause be included in future tax abatements compliance statements that tax payments are current.

Public Comment:

Pearl Speakman, 923 S. 22nd St. expressed concern over fliers being put in customer's water bill statements regarding the city withdrawing from the Indiana Utility Regulatory Commission (IURC)

Mayor Roswarski spoke regarding the fliers stating it is the most efficient way to inform the public regarding the benefits to the city of withdrawing from the IURC. Mayor Roswarski noted there will be representatives at neighborhood meeting and the city engineer will be meeting with local business leaders, in addition to a second mailing will be going out in the water bills.

Earl Stanton, 1013 Elizabeth St., spoke in support of the city withdrawing from the IURC. Mr. Stanton also expressed concern that the local bus service would not be servicing the two new hospitals being built.

With no further business to come before the Council, Councilman Heide moved to adjourn, Councilman Klinker seconded. Meeting was adjourned at 8:13 p.m.

Minutes prepared by Cindy Murray, City Clerk

Complete audio of meeting available in the City Clerks office or at www.lafayette.in.gov